Before the
Federal Communications Commission
Washington D.C. 20554

In the Matter of

Application by	)	
Qwest Communications International, Inc.	)	
For Authorization to Provide	)	
In-Region, InterLATA Services	)	WC Docket No. 03-11
In New Mexico, Oregon and South Dakota	)	

REPLY COMMENTS OF WORLDCOM, INC.

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INTRODUCTION AND EXECUTIVE SUMMARY

The intervening weeks since WorldCom submitted its Comments in this proceeding provide even further evidence that Qwest's OSS is fundamentally flawed. Because of the complex, non-standard nature of Qwest's systems and inferior documentation, WorldCom was forced to shut down its OSS entirely for nearly two weeks when it began using its own OSS in January. And since WorldCom brought its interfaces back up, it has faced a barrage of additional problems.

WorldCom is receiving thousands of rejects because Qwest's documentation fails to make clear that Qwest does not maintain features on its Customer Service Records ("CSRs") in the sequence that would ordinarily be expected. WorldCom is receiving thousands of additional rejects because Qwest requires CLECs to place an entirely unnecessary code on their orders without consistently making this clear in its documentation. WorldCom is also receiving rejects for a number of other reasons for which Qwest is responsible.

In addition to causing rejects, Qwest's OSS severely impedes a CLEC's ability to submit orders to change a customer's features. Despite Qwest's claims during prior section 271 applications, CLECs cannot currently submit orders to change a customer's features until Qwest has updated the CSR to reflect that the CLEC owns the account, a process that even Qwest acknowledges takes 3-5 days. And even after Qwest has updated the CSR, it is often difficult for a CLEC to submit an order to change features because Qwest requires that the CLEC include the "customer code" on the account. While WorldCom was developing its interfaces, Qwest told WorldCom that it could obtain this code from the completion notices Qwest transmits, but it now appears that this often is not an accurate source of the customer code, as Qwest has

acknowledged. Thus, systems developed as Qwest instructed again do not serve their intended purpose.

WorldCom also has determined that Qwest is returning inconsistent or erroneous information on the Daily Usage Feed. It is not using a single code to designate particular types of calls, but rather is using a multitude of different codes, leaving WorldCom unclear what these codes are supposed to indicate. It is designating certain calls as collect calls that almost certainly are not collect calls. It is designating other calls as "rated" calls that are not. And it is making other errors.

Finally, it has become clear that Qwest is not accurately updating CSRs. This was a problem that KPMG found during testing, but that the Commission concluded Qwest had corrected in commercial operation. Yet a WorldCom audit reveals that Qwest is providing blocking options or features that WorldCom did not request on more than 20% of orders. It is also listing the wrong billing address for *almost all* orders. This is an astounding level of inaccuracy.

Qwest's response to all of this is likely to be that other CLECs are managing to compete in the market. But WorldCom is aware of only one CLEC in the Qwest region submitting residential UNE-P orders via EDI, and it took that CLEC one year to develop its EDI interfaces. And even if CLECs eventually are able to develop workable interfaces, the arduous trial and error development required is a major impediment to competition. The Commission must require that Qwest eliminate this impediment and significantly upgrade its OSS before approving another Qwest section 271 application.

In addition to these significant OSS deficiencies, Qwest fails to meet the Track A requirements in New Mexico, and Qwest's New Mexico application should be denied accordingly.

TABLE OF CONTENTS

TABLE OF DECLARANTS

Tab	Declarant	Subject
1	Sherry Lichtenberg	OSS

TABLE OF CITATION FORMS

FCC ORDERS	
Qwest I Order	*In re Application by Qwest Communications International, Inc. for Authorization to Provide In-region, InterLATA Services in the States of Colorado, Idaho, Iowa, Montana, Nebraska, North Dakota, Utah, Washington and Wyoming*, WC Docket No. 02-314, Memorandum Opinion and Order, 2002 WL 31863801, FCC 02-332 (FCC rel. Dec. 23, 2002).
DOJ EVALUATIONS	
DOJ Eval.	Department of Justice Evaluation, WC Docket No. 03-11 (filed Feb. 20, 2003).
STATE COMMISSION MATERIALS	
New Mexico Order	*In re Qwest Corporation's Section 271 Application and Motion for Alternative Procedure to Manage the Section 271 Process*, Utility Case No. 3269, Final Order Regarding Compliance with Outstanding Section 271 Requirements: SGAT Compliance, Track A, and Public Interest (N.M. Pub. Reg. Comm'n Oct. 8, 2002) (Qwest Appl. App. C-New Mexico, Tab 19)

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REPLY COMMENTS OF WORLDCOM, INC.

WorldCom continues to experience fundamental difficulties in competing effectively in the Qwest region as a result of deficiencies in Qwest's unnecessarily complex, non-standard OSS. The Commission has previously concluded that Qwest's non-standard OSS is acceptable. But when it did so, the Commission believed that it was possible for CLECs readily to develop effective interfaces to use in conjunction with Qwest's OSS. But the fact is that Qwest has not adequately documented its non-standard processes, making it extremely difficult for CLECs to develop EDI interfaces to compete in the market.

In WorldCom's opening Comments, we explained the initial difficulties that WorldCom experienced as it began using its own OSS in the Qwest region. With great effort, WorldCom has resolved some of those problems, but, just as we expected, additional problems have now become apparent. Indeed, because of the complexities in Qwest's processes and the generally inadequate nature of its documentation, WorldCom expects to continue to find additional problems that need to be resolved before interfaces even approach acceptable status. In addition, as WorldCom explained in its Comments, Qwest does not satisfy Track A in New Mexico.

I. QWEST'S OSS REMAINS FUNDAMENTALLY DEFICIENT

A. Inadequate Information on How to Determine Existing Features and Feature Detail

Many of the problems that WorldCom has experienced relate to Qwest's failure to implement industry-standard migrate-as-specified ordering. Because Qwest requires CLECs to differentiate on every order between features and feature detail that the customer already has and those that the customer wishes to add for the first time, it is critical that CLECs are able readily to determine the features and feature detail the customer already has. In WorldCom's Comments, we explained that Qwest failed to provide accurate information on how to do this for single-line customers and that, as a result, WorldCom received rejects on virtually all of its initial orders for single-line customers. WorldCom had to shut down its systems for nearly two weeks and rewrite its software.

Qwest responds that other CLECs did not interpret Qwest's documentation in the same manner as WorldCom.[1] Qwest relies on such round-about speculation about how some CLECs interpreted the documentation because it cannot defend the accuracy of the documentation itself. And Qwest does not provide information on who those CLECs are and what they are ordering. WorldCom is aware of only one CLEC (New Access) that is ordering UNE-P via EDI. New Access told WorldCom that it took a year to develop an EDI interface with Qwest. This does not suggest that the documentation provided by Qwest is complete and useful.[2]

Indeed, it is indisputable that Qwest failed to document the critical difference between single line and multi-line customers with respect to the location of the telephone numbers on the CSRs and how these are used to access feature information. Qwest has acknowledged this to

[1] Letter from R. Hance Haney, Qwest, to Marlene Dortch, FCC, WC Docket No. 03-11, filed Feb. 14, 2003 (Feb. 14 *ex parte*).

WorldCom. And Qwest has now released a change request saying that it will in the future update its documentation to reflect this difference. The Change Request further explained that "The PCAT [Product Catalog] will be updated to provide documentation concerning existing processes/products *not previously documented*. . . . Generally, CSRs that only contain one TN will not have TN FID detail following individual USOCs." (emphasis added). Thus, Qwest has acknowledged that its current documentation does not show the location of the TN on the CSR for single-line customers.[3]

The extensive rejects WorldCom experienced for single-line customers were only the first problem WorldCom experienced as a result of Qwest's overly complex systems and inadequate documentation. After WorldCom shut down its systems for nearly two weeks and reprogrammed them, it again began submitting orders at the beginning of February. Since then, it has become clear that Qwest failed to provide accurate information on how to determine features and feature detail not only for single-line customers but also for multi-line customers. After WorldCom rewrote its code and again began submitting orders, it found that its reject rate remained over 60% and that approximately 60% of these rejects continued to relate to issues concerning feature information. WorldCom determined that most of these rejects were caused by a problem with multi-line CSRs. The feature information on those CSRs is often – if not always – out of sequence. That is, the feature information for the customer's first telephone line is not all grouped together but rather is interspersed with information for the customer's second line or third lines.[4]

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[2] Lichtenberg Reply Decl. ¶ 6.
[3] Lichtenberg Reply Decl. ¶ 3.
[4] *Id*. ¶¶ 9-10.

This is not a logical way to design CSRs and is different than the design in any other ILEC. Yet nothing in Qwest's documentation states that feature information may be out-of-sequence. Moreover, only one of the many test accounts contained in Qwest's SATE test environment included feature information that was out of sequence, explaining why WorldCom did not discover the problem. In SATE, unlike in production, the feature information was almost always grouped together by telephone number. Thus, WorldCom designed its systems on the premise that feature information would be grouped together by telephone number. As a result, WorldCom's systems do not capture all of the existing features from a customer's CSR and a very high percentage of WorldCom orders continue to reject.[5]

WorldCom has therefore again been forced to undertake a major redesign of its systems. WorldCom is now attempting to design its systems pull all of the feature information on a CSR into its own systems, reorganize the information to create a properly sequenced CSR, and use that information as a basis to submit orders. WorldCom hopes to have new systems in place by March 8.[6]

WorldCom therefore expects that on March 9 Qwest will say that the problem with multi-line CSRs has been resolved. Indeed, Qwest has already suggested as much with respect to the problems WorldCom experienced with single-line accounts. But development should not be a trial-and-error process that requires major rewriting of code to correct for problems caused by poor documentation, incomplete test accounts, and burdensome, non-standard processes. It is WorldCom and WorldCom's customers, not Qwest, that have been forced to pay for Qwest's

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[5] *Id*. ¶¶ 10-12.

[6] At the moment, however, WorldCom does not have all of the line class of service codes it needs from Qwest to complete this development. WorldCom must provide both the old line class of service and the new line class of service on the migration LSR but because Qwest has

inadequacies through the high reject percentage it has faced, the expensive process of rewriting its systems, and the need to shut down its systems entirely for nearly two weeks.

Moreover, WorldCom's systems re-development will not be able to resolve one additional problem caused by Qwest's requirement that CLECs include existing feature and feature detail information on their orders. Qwest continues to reject some WorldCom orders that include requests for call forwarding, because WorldCom has not included the customers' existing 10 digit "forward to" numbers on its orders. This is so even though WorldCom pre-populated the forward to numbers directly from the customers' CSRs. The problem is that Qwest's CSRs sometimes include only 7 digit numbers, without an area code, but Qwest requires 10 digit numbers on orders.

Qwest claims in its February 14 *ex parte* that its systems operate as designed and documented, but they clearly do not. Indeed, Qwest repeatedly maintained in its prior section 271 applications that its pre-order and order interfaces can be fully integrated. Qwest's claim is now demonstrably inaccurate, as it is clear that the forward to number cannot always be taken from the CSR and pre-populated on an order. It is true, as Qwest states, that Qwest has agreed to resolve the problem.[7] WorldCom hopes that Qwest will do so, but it has not done so yet. Moreover, as with all of the issues discussed here, no solution was in place at the time Qwest filed its application.

B. USOC Issues

WorldCom has faced several problems relating to transmission of Universal Service Ordering Codes ("USOCs") on orders. As WorldCom explained in its Comments, initially

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multiple classes of service (not all of which are documented), WorldCom cannot complete its development until Qwest provides a complete list of line class of service codes.

[7] Feb. 14 *ex parte*.

Qwest rejected all orders in Oregon with the touchtone USOC because Qwest had failed to update its tables to include this USOC. Although Qwest fixed this problem, its existence demonstrates the nascent state of competition in the Qwest region.

Qwest also rejected orders that included the NKS USOC. WorldCom has now resolved this problem after again changing its systems to accommodate new instructions from Qwest. Qwest informed WorldCom that it should send the NKM USOC instead of the NKS USOC because the NKS USOC should not be used for business services (Qwest considers UNE-P to be a business service). But Qwest acknowledges in a February 26 ex parte letter that this explanation turned out to be wrong, though Qwest still says that use of the NKS USOC was inappropriate for some other unspecified reason. Qwest also says that it will ensure that the NKS USOC can be used in the future.

Qwest's seeming perplexity at how its own systems operate and what its documentation says underscores just how difficult it is for CLECs to determine how Qwest's systems work and to code their interfaces accordingly.

C. Address Rejects

Qwest's poor OSS also has led to extensive rejects related to address errors. Because Qwest requires CLECs to submit addresses on every order, rather than allowing CLECs to migrate customers based on telephone number ("TN") and street address number ("SANO"), it is vital that Qwest has an efficient and effective process for retrieving address information. Qwest does not have such a process. As a result, approximately 18% of WorldCom orders reject based on address errors.[8]

[8] Lichtenberg Reply Decl. ¶ 18.

As WorldCom explained in its Comments, Qwest's documentation indicates that CLECs can retrieve addresses by entering a customer's telephone number into the street address validation function ("SAV"), but in actuality, this is only true for primary lines. CLECs cannot retrieve addresses by entering the telephone number of a customer's second or third line, the very lines customers often wish to migrate during the early stages of competition.

Qwest responds that CLECs should retrieve these addresses by typing the customer's address, not telephone number, into the SAV, Qwest Feb. 14 *ex parte*, but this should not be necessary. Because it is much more efficient to retrieve addresses by telephone number and because this avoids inaccurate validation of any addresses that are mistyped, WorldCom designed its systems based on the assumption that addresses could be retrieved by entering a telephone number. Only when WorldCom began transmitting production orders did it become clear that this would not work for second lines.[9]

WorldCom continues to receive a high volume of address rejects for two other reasons as well. First, Qwest rejects orders if the addresses on the orders do not match the ones in its PREMIS database that it uses for address validation. While Qwest advises (but does not require) CLECs to use the address from PREMIS, for internal reasons, WorldCom designed its systems to populate orders with addresses pulled from the CSR (the CRIS database). WorldCom did not expect this would cause significant problems because based on testing with Qwest and its experience with other ILECs, WorldCom did not anticipate a major discrepancy between the CRIS and PREMIS databases. But it appears from production orders that the discrepancy in the Qwest region is quite significant, leading to a high number of rejects. WorldCom now may have to redesign its systems to use the address from PREMIS. While WorldCom may be partly

[9] *Id*. ¶14.

responsible for this problem, the fact is that CRIS and PREMIS should not vary so significantly.[10]

And pulling addresses from PREMIS will not resolve all address rejects. WorldCom has pressed Qwest for months to answer the question whether it ever edits addresses against CRIS, as well as PREMIS. Qwest never provided an answer. But just today Qwest informed WorldCom that on orders that fall to manual, it *does* edit addresses against CRIS and rejects orders that do not match the CRIS address. Thus, Qwest will reject manually-processed orders if the CLEC has pulled the address from PREMIS and this does not match the address from CRIS.[11] There is therefore no way for a CLEC to avoid the problems caused by the PREMIS/CRIS mismatches.

Moreover, WorldCom is concerned that if it redesigns its systems to use the PREMIS address, they will then be less, rather than more, effective when Qwest moves to migrate by TN and Street Address Number ("SANO") in April. Although Qwest has told WorldCom that even at that point, WorldCom should pull the SANO from the PREMIS database using the SAV function, Qwest has also told WorldCom that Qwest will edit the SANO against the CRIS database, not against PREMIS. It makes little sense for Qwest to tell WorldCom to pull the SANO from PREMIS if Qwest is going to edit against CRIS. If WorldCom nonetheless changes its systems to pull address from PREMIS, it risks increasing the rejects it will receive when Qwest moves to migrate by TN and SANO.[12]

Second, and even more important, WorldCom has come to understand that in many parts of the Qwest region, Qwest requires inclusion of information from the Customer Address Location Area ("CALA") field – an internal Qwest field in the PREMIS database that is related

[10] *Id*. ¶¶ 21-22.
[11] *Id*. ¶ 23.
[12] *Id*. ¶ 24.

to a customer's address but is not actually part of the address. Because it was misled by Qwest's documentation, WorldCom did not design its systems to retrieve the CALA code and include it on orders. Qwest has therefore rejected approximately 10% of WorldCom's orders for failure to include the CALA codes.[13]

Qwest's documentation defines CALA as the "Code used to identify what area an address is located in when a zip code is unavailable." EDI Disclosure Documentation 10.0 "EU-26a/CALA" (emphasis added). Moreover, Qwest does not require CLECs to perform an SAV inquiry at all before submitting an order, seemingly making clear that any information such as the CALA code that can only be retrieved through an SAV inquiry is not required on an order. WorldCom acknowledges, however, that the documentation is ambiguous. While the documentation in one place indicates that CALA is only used to identify an area when there is no zip code provided, it also states in a separate place that CALA is required if "the ZIP crosses multiple CALAs." But WorldCom did not catch this ambiguity because CALA is an internal Qwest code that CLECs should not have to submit on orders in the first place. Moreover, there is no excuse for the critical inconsistency in the documentation.[14]

To redesign WorldCom's systems to retrieve and submit CALA codes would require substantial work. And such work should not be necessary. CALA is an internal Qwest code that is not required by any other ILEC and that already resides in Qwest's systems. There is no reason that CLECs should have to retrieve this code from Qwest's systems and then send it back to Qwest. Moreover, retrieving the CALA code from Qwest's systems and resubmitting it to Qwest will extend overall pre-order response times.

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[13] *Id*. ¶¶ 25-26.
[14] *Id*. ¶ 26.

When WorldCom discovered the extensive rejects caused by the CALA issue, it requested that Qwest work with it to reduce these rejects. It fully expected that Qwest would cooperate, as the CALA code is unnecessary and, in fact, will no longer be required on initial orders when Qwest moves to migrate by TN and SANO. WorldCom therefore requested that Qwest eliminate its requirement that the CLEC provide the internal CALA code. Qwest responded that this was not possible as it is an inherent part of the address validation checks that occur in their front end (BPL) edits. WorldCom requested alternatively that Qwest add the CALA code to CLEC orders after receiving them (as is appropriate for an internal Qwest field), rather than requiring CLECs to retrieve the CALA and submit it on orders. But Qwest refused to accommodate either of these requests. That is not the way to treat a wholesale customer whose problems are caused by inconsistent Qwest documentation and unnecessary systems requirements. WorldCom has therefore submitted an escalated change request asking that Qwest implement one of the solutions it requested. WorldCom hopes that Qwest will work quickly with CLECs to do so.[15]

The CALA issue is thus just one more example of the extensive problems caused by Qwest's unnecessarily complex systems and incomplete and inaccurate documentation. This is not OSS ready to support meaningful competition.

Yet Qwest responds that "31 CLECs have successfully used Qwest's documentation on a commercial basis to develop their EDI interfaces." Qwest Feb. 14 *ex parte*. Qwest does not say who these CLECs are, however, or what types of orders they are placing. As explained above, to WorldCom's knowledge, based on its attendance at change management meetings and discussions with other CLECs, only one CLEC other than WorldCom is submitting residential

[15] *Id*. ¶¶ 27-29.

orders via EDI in the Qwest region. It took that CLEC one year to develop its interfaces, and the CLEC is using the interfaces to submit only a small volume of orders. More important, WorldCom is not claiming that it is impossible ultimately to develop workable EDI interfaces. By rewriting its systems again and again, WorldCom expects to gradually reduce its reject rate. But WorldCom should not have to undertake such trial-and-error development based on complex, non-standard systems and inadequate documentation and technical assistance.[16] Nor should other CLECs. And while Qwest states that some CLECs developed successful EDI interfaces, it nowhere says they did so smoothly without significant difficulty.[17] It nowhere states that the specific flaws that WorldCom describes do not exist. Qwest cannot say this because the flaws do exist, as Qwest itself has acknowledged in many instances.

D. Qwest's DUF Formatting Causes Significant Coding Issues

WorldCom has begun reviewing the Daily Usage Feeds ("DUF") it receives from Qwest and already had found a number of different problems. First, Qwest fails to describe calls for which customers often "pay per use," such as automatic redialing (a *66 call), with a single unique code. Qwest returns a number of different codes on the DUF that may or may not mean the same thing. For example, WorldCom has received the codes 033, 061, 063, 067, and 069 on DUF records all with text suggesting they are auto-redial calls. But given the different codes,

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[16] *Id*. ¶¶ 6-8.

[17] The DOJ's assertion that WorldCom does not explain "why its experience using its own systems appears to have been more negative than that using Z-Tel's systems," DOJ Eval. at 8 n.32, demonstrates just this. While WorldCom eventually achieved a reject rate of somewhat over 30% using Z-Tel's systems – a reject rate that itself was far, far too high – this was only after Z-Tel overcame many problems during the development process caused by Qwest's complex systems and poor documentation. DOJ also claims that WorldCom has not presented detailed underlying data concerning its problems. WorldCom is unclear what data DOJ would have liked to see, but is perfectly willing to provide lists of specific orders that have rejected for the various reasons WorldCom delineates in these Comments.

WorldCom does not know whether to treat all of these calls the same or how to bill customers for these calls.[18]

Second, in Qwest's Central region, on pay per use calls such as automatic redial, Qwest is transmitting a code indicating these are calls "rated" by Qwest with the accompanying Qwest rate information (*i.e.*, 95 cents for call return (*69)). But these call records should be unrated when transmitted to CLECs, because CLECs set their own rates for these calls. Because Qwest should not transmit rated records, WorldCom's systems do not accept such records. They error out in WorldCom's systems.[19]

Third, WorldCom has received hundreds of call records that do not contain a "bill to" number, that is the number the customer has dialed. Once again, such records error out in WorldCom's systems because they are programmed to expect a "bill to" number to be returned.[20]

Fourth, for calls that are automatically completed after a customer dials directory assistance (Directory Assistance Completed Calls or DACC), the DUF records appear to mark many of these calls as collect calls even though the same records show that the numbers billed for the calls are the numbers from which the calls originated – meaning they are not collect calls. Moreover, it is unclear how calls completed by directory assistance would be collect calls. Because DACC calls should not be collect calls, records that characterize DACC calls as collect calls also error out in WorldCom's systems.[21]

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[18] Lichtenberg Reply Decl. ¶ 37.

[19] *Id.* ¶ 38. WorldCom has not yet determined whether it is being incorrectly charged for these improperly rated calls on its wholesale bills.

[20] *Id*. ¶ 39.

[21] *Id*. ¶ 40.

There is no documentation that led WorldCom to expect these problems to arise. It may be that they can be readily resolved if Qwest works with WorldCom. But as of today, it appears that these DUF issues are significant problems.[22]

E. CLECs Cannot Submit Supplemental Orders Until Qwest Updates CSRs

Qwest has not yet implemented a process by which CLECs can submit supplemental orders before Qwest has updated a CSR. As WorldCom explained in its Comments, the work-around process Qwest articulated in its prior section 271 applications does not actually work. Therefore, at the moment, WorldCom has been forced to refrain from submission of supplemental orders until Qwest has updated CSRs. This is a significant problem, as customers frequently request to change features soon after submitting their initial orders.[23]

F. Qwest Requires Submission of Ever-Changing Customer Codes

Qwest requires CLECs to submit customer codes on their orders. The customer code is an internal Qwest code that is obtained from the CSR. Certain conditions internal to Qwest result in changes to the customer code. When the CLEC submits a supplemental order, or an account maintenance order (an order to change features that the CLEC submits after receipt of a completion notice) for its own customer, the CLEC must use the accurate customer code. WorldCom did not expect this to be a problem because Qwest advised WorldCom that it could obtain the customer code from the Firm Order Confirmation ("FOC") or the Service Order Completion ("SOC"). Later, when WorldCom asked Qwest which source was preferable, Qwest said that WorldCom should use the code from the SOC.[24]

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[22] *Id*. ¶ 41.
[23] *Id*. ¶ 32.
[24] *Id*. ¶¶ 33-34.

Once WorldCom was in production, however, we noticed discrepancies between the customer codes coming back on the FOCs and those coming back on the SOCs. WorldCom provided examples of these discrepancies to Qwest. Qwest then responded that, based on the examples WorldCom provided, the customer code on the *FOC* was usually the correct one but not always. Qwest requested a meeting with WorldCom to go through in detail the different scenarios and draw pictures showing when the customer code should be obtained from the FOC and when from the SOC. It seems doubtful that a clear business rule will emerge from this meeting that can be used as a basis of effective coding.[25]

Thus, again the information Qwest provided for WorldCom to use in development was apparently incorrect. It is likely that whatever information Qwest now provides will require redevelopment on WorldCom's part. And given Qwest's track record in providing information used for development, there is little basis to conclude that the new information will enable WorldCom to obtain the codes it actually needs to place account maintenance orders.[26]

G. Qwest Makes Numerous Errors in Updating CSRs

WorldCom also has determined that Qwest is not accurately updating CSRs when it finally does update them. CLECs commented extensively on this issue in response to Qwest's prior section 271 applications, explaining that KPMG had found significant problems with respect to order accuracy, and that Qwest's performance measures were failing to adequately capture problems with order accuracy. Nonetheless, the Commission concluded that Qwest's order accuracy even for manually handled orders was well over 90%. *Qwest I Order* ¶¶ 98-105. It is now clear, however, that Qwest's performance is nowhere near this good even when all orders, not just manually processed orders, are included.

[25] *Id*. ¶ 35.

Of eighty two CSRs that WorldCom audited, WorldCom found that seventeen had blocking options or features that WorldCom did not order. For ten customers, the CSRs showed that third party and/or collect calls would be blocked on their lines, for example, even though the customers had not requested such blocking and WorldCom had not included it on its orders. Customers will be greatly angered by such inaccurate provisioning.[27] If, for example, a child attempts to make a collect call home and is prevented from doing so by a blocking option that was not ordered, the parent will certainly blame the CLEC. No BOC that has been approved for section 271 authorization has provisioned orders this inaccurately.

Qwest also failed to accurately update the billing address on most CSRs. In fact, Qwest updated the billing address to reflect that WorldCom should receive the wholesale bill on just seven of eighty-two orders. On sixty orders, the billing address reflected that WorldCom's customers rather than WorldCom should receive the bill. A customer who receives the wholesale bill in addition to the retail bill will blame the CLEC for this double billing.[28]

Qwest made other mistakes in updating CSRs as well. Qwest failed to update the line status on forty eight of the eighty two CSRs that WorldCom audited. And Qwest also failed to include the service establishment date on sixty five of the eight two CSRs. Qwest is researching the cause and impact of these discrepancies. At present, Qwest has not yet even been able to tell WorldCom exactly what these fields on the CSR are for – again demonstrating Qwest's failure to understand its own systems.[29]

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[26] *Id*.
[27] *Id*. ¶ 42.
[28] *Id*. ¶ 44.
[29] *Id*. ¶ 45.

WorldCom is waiting for Qwest to explain the cause of these errors. But it is clear that errors of this magnitude would not occur in effectively functioning OSS that provides CLECs a meaningful opportunity to compete.

II. QWEST FAILS TO MEET TRACK A IN NEW MEXICO

Qwest's section 271 application for New Mexico should be rejected because Qwest fails to meet Track in A in that state. First, there are no competing providers of facilities-based residential service in New Mexico, as the New Mexico Commission found.[30] Second, the residential resale carriers in New Mexico do not provide consumers with "an actual commercial alternative." The already-small number of customers served by these resale carriers dropped 30 percent in the three months since the New Mexico Commission examined the data, as AT&T has pointed out,[31] and in any case, these resale carriers target a niche market comprised of "high risk" customers who otherwise are unable to obtain local service.

Qwest therefore must rely on a survey of Cricket PCS customers in an attempt to show that a meaningful number of those customers have substituted their wireline service with Cricket PCS service. Qwest fails in this attempt. WorldCom described in its initial comments the significant deficiencies in the survey, in particular the wording of the questions, which seek responses based on hypothetical behavior rather than actual behavior. Indeed the New Mexico Commission found "significant problems inherent in the design, methodology, and implementation of the Cricket survey."[32] Qwest's explanation in its February 25 *ex parte* letter as to why it worded its questions this way is not persuasive. Qwest asserts that its wording was designed so that people did not think they were receiving a marketing call and so as not lead the

[30] *New Mexico Order* ¶ 126.
[31] AT&T Comments at 13.
[32] *New Mexico Order* ¶ 154.

respondent to an affirmative answer.[33] There exist a number of ways the question could have been worded to accomplish Qwest's objectives and also to elicit an accurate response. For example, the question could have been: "We are conducting a survey to see how many people have disconnected their traditional home phone and instead are using a wireless phone. Have you disconnected your wireline phone service from the local phone company and started using your wireless phone instead?" The Cricket survey did not ask questions in such a pointed manner, however, and cannot be relied on to demonstrate an "actual commercial alternative" exists.

WorldCom will not repeat here any further discussion in our initial comments about the Cricket Survey, but will make the following additional points. Qwest does not demonstrate that Cricket PCS provides customers with all the same benefits and features as wireline service. For example, PCS providers do not offer service that allows the use of more than one PCS handset with each PCS subscription and telephone number. A customer who wished to substitute Cricket PCS service for wireline service would thus have to subscribe to and pay for two different phones. In addition, as AT&T points out in its comments, Cricket PCS service does not provide E-911 service with the capability to allow, in an emergency, the 911 call center to locate the PCS customer, even if the PCS customer is calling from home.[34] Furthermore, we agree with AT&T's argument that Qwest not being subject to local number portability requirements with respect to PCS carriers undercuts Qwest's argument that Cricket PCS service is a true commercial alternative. Not being able to retain one's phone number when switching from

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[33] *See* Letter from R. Hance Haney, Qwest, to Marlene H. Dortch, FCC, WC Docket No. 03-11, filed February 25, 2003.

[34] AT&T Comments at 16, *citing* letter from David Solomon (Leap Wireless) to Thomas Sugrue (Chief, Wireless Telecommunications Bureau), Re: E911 Quarterly Report (filed November 1,

Qwest to Cricket PCS certainly reduces the likelihood of a customer terminating Qwest service and switching to Cricket.

It also bears emphasizing that Cricket's corporate parent, Leap Wireless International, was delisted by NASDAQ effective December 11, 2002, making it difficult for Leap Wireless to obtain funding for its current and future plans.[35] If Leap/Cricket cannot be counted on to stay in business in New Mexico, it cannot be considered to meet Congress's purpose in requiring the existence of an actual provider of competitive services to demonstrate compliance with Track A.

Finally, we agree with AT&T that Cricket's customer base, which consists largely of customers between the ages of 18 and 24, are not an accurate representation of residential consumers in general, because many of them likely are college students or otherwise in a transition mode and would not otherwise have a residential wireline phone. Indeed approximately half of the survey respondents are between the ages of 18 and 29.[36] For all these reasons, the Cricket PCS Survey does not provide a reliable basis on which to conclude that New Mexicans are substituting wireline service with wireless service. Qwest has failed to demonstrate Track A compliance in New Mexico, and its application should be denied accordingly.

CONCLUSION

For the foregoing reasons, Qwest's section 271 application for New Mexico, Oregon and South Dakota should be denied.

Respectfully submitted,

2002) (showing that Leap Wireless does not even plan to upgrade its New Mexico service to Phase II-type E911 service).

[35] *See* Leap Wireless Press Release dated Dec. 11, 2002, www.leapwireless.com/dindex/html.

[36] *See* Letter from R. Hance Haney, Qwest, to Marlene H. Dortch, FCC, WC Docket No. 03-11, filed February 13, 2003.

//s//

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February 27, 2003

Certificate of Service

I, Lori Wright, hereby certify, that a true and correct copy of WorldCom, Inc. Reply Comments in the matter of WC Docket No. 03-11 was served on this 27th day of February, 2003 on the following electronically:

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